

**EXHIBIT B**  
**DEVELOPMENT PLAN/COASTAL DEVELOPMENT PERMIT**  
**CONDITIONS OF APPROVAL**  
**SUB2015-00001**

**Approved Development**

1. This Tract Map/Development Plan/Coastal Development Permit approves the following development and project-related activities:
  - a. The creation of seven residential lots, plus one open space parcel as shown on Tentative Tract 3074;
  - b. Grading and street improvements to E Street and Cypress Glen Court;
  - c. Grading and minor site work for a sewer laterals;
  - d. Grading and minor site work for gas lines;
  - e. Grading and construction of a shared driveway from Cypress Glen Court;
  - f. Grading and construction of seven new residences with a maximum height of 28 feet as follows:

<b>Tract 3074 Product Summary (Square Feet)</b>								
<b>Project Components</b>	<b>Lot 1</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>	<b>Lot 5</b>	<b>Lot 6</b>	<b>Lot 7</b>	<b>Lot 8</b>
<b>Lot Area</b>	2,508	2,432	2,432	2,432	2,432	4,961	5,405	14,089
<b>Dwellings Floor Area</b>								
<b>Living Space</b>	2,449	2,449	2,197	2,197	2,197	2,170	2,013	--
<b>Garage</b>	571	571	593	593	593	440	440	--
<b>Carport</b>	519	519	516	516	516	0	0	--
<b>Decks and Porches</b>	335	335	443	443	443	41	44	--
<b>Total:</b>	3,874	3,874	3,749	3,749	3,749	2,651	2,497	--

- g. Parcel sizes and setbacks as follows:

<b>Tract 3074 Parcel Size and Setback Summary</b>								
	<b>Lot 1</b>	<b>Lot 2</b>	<b>Lot 3</b>	<b>Lot 4</b>	<b>Lot 5</b>	<b>Lot 6</b>	<b>Lot 7</b>	<b>Lot 8</b>
<b>Lot Area</b>	2,508 sq.ft.	2,432 sq.ft.	2,432 sq.ft.	2,432 sq.ft.	2,432 sq.ft.	4,961 sq.ft.	5,405 sq.ft.	14,089 sq.ft.
<b>Front Yard</b>	12'	12'	12	12	12	14	14	N/A
<b>Side Yards</b>	3'	3'	3'	3'	3'	5'	4'-5'	N/A
<b>Rear Yards</b>	18'	18'	18'	18'	18'	45'	45''	N/A

- h. Restoration and enhancement of the riparian habitat area;
- i. On-going monitoring and restoration of the riparian habitat area (as necessary); and
- j. Total site disturbance of approximately 26,910 square feet (not including riparian restoration).

**Conditions required to be completed at the time of application and/or prior to issuance of construction permits**

***Site Development***

2. At the time of application for grading and/or construction permit(s), the applicant shall submit final site plans to the Department of Planning and Building for review and approval. The final site plans shall show the following:
  - a. **Little Cayucos Creek Setback.** Other than habitat restoration related development, all development including but not limited to retaining walls, drainage features, fencing, decking, and parking areas, shall be set back a minimum distance of 20 feet from the upland edge of Little Cayucos Creek riparian vegetation.

All grading, as defined by the CZLUO, shall be setback from the edge of riparian vegetation a minimum of 50 feet.
  - b. **Approved Development Envelope.** All areas of the site outside of the Little Cayucos Creek Riparian Habitat Area and its required setback shall be demarked as the Approved Development Envelope.
  - c. **Little Cayucos Creek Riparian Habitat Area.** The area of the site outside the Approved Development Envelope shall be demarked as the Little Cayucos Creek Riparian Habitat Area, where development and uses shall be limited to restoration, enhancement, protection, and interpretation of the Little Cayucos Creek riparian habitat.
  - d. **Site Access.** All access to the residential units from E Street shall be clearly identified on the final site plans, and shall include:
    - i. Verification that access has been reviewed and approved by the Department of Public Works with respect to improvements in the E Street right-of-way;
    - ii. Verification that access has been reviewed and approved by the Cayucos Fire Department in respects to fire safety regulations;
  - e. **Project Limit Area.** The final plans shall clearly identify specific locations of construction, areas for staging and storage, and construction access corridors. Such areas shall be minimized to the maximum extent feasible to minimize impacts on the creek habitat area. Silt fences, or equivalent shall be installed at the perimeter of allowable construction area to prevent runoff and/or sediment from entering the riparian habitat area.
  - f. **Construction Plan Notes.** The final plans shall include a final construction schedule and erosion control/water quality BMPs (and locations). The following required criteria must be shown on the Plan Notes:
    - i. All work shall take place during daylight hours. Lighting of the creek and riparian area is prohibited.
    - ii. Construction (including but not limited to construction activities, and materials and/or equipment storage) is prohibited outside the defined construction, staging, and storage areas.
    - iii. Construction shall only occur during the dry between April 15 to October 1.
3. Prior to issuance of construction permits for the residences, the applicant shall submit a color and materials board to the Department of Planning and Building for review and approval.

***Fire Safety***

4. Prior to issuance of construction and/or grading permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Additional Fire Safety Review will be required and the applicant shall provide evidence that all plans submitted are compliant with current fire and life safety requirements of the Cayucos Fire Department and the California Fire Code.

***Services***

5. Prior to issuance of construction and/or grading permits, the applicant shall provide confirmation of final water availability letter from Morro Rock Mutual Water Company to service the new residences. The project shall meet all applicable conditions of the final will serve requirements by the water purveyor.
6. Prior to issuance of construction and/or grading permits, the applicant shall provide confirmation of final sewer availability letter from Cayucos Sanitary District to service the new residences. The project shall meet all applicable requirements of the final-will serve requirements by the District

***Exterior Lighting***

7. Prior to issuance of construction permits for the residences, the applicant shall submit exterior lighting plans to the Department of Planning and Building for review and approval. All proposed exterior lighting shall be shielded to the maximum extent possible and be of the lowest intensity feasible in order to avoid artificial light pollution of the riparian habitat area. Exterior lights on the north and northwest sides of the project (bordering the creek) shall be avoided where possible and be the minimum necessary to meet safety requirements. Exterior light shall be shielded and lighting shall be directed downward and away from the creek and riparian areas.

***Access & Access Easement***

8. Prior to issuance of a grading permit, the applicant shall provide evidence of a recorded easement for access and utilities to Lots 1 through 7 to the Department of Planning and Building.
9. Prior to issuance of construction and/or grading permits, the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
  - a. Construct or site access driveway approach in accordance with County Public Improvement Standard B-1a.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
10. Prior to issuance of construction and/or grading permits, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

***Water***

11. **Prior to issuance of construction permits**, the applicant shall show how the initial landscaping will have low-water requirements. As applicable, at a minimum the following shall be used: (1) all common area and residential irrigation shall employ low water use techniques (e.g., drip irrigation); (2) residential landscaping (turf areas) shall not exceed 500 square feet with remaining landscaping being drought tolerant and having low water requirements (e.g. use of native vegetation, etc.); (3) all common area landscaping shall use no turf or other water intensive groundcover and will use ornamental native plants where feasible.
12. All water fixtures installed (including showers, faucets, etc.) that are not specified in the Uniform Plumbing Code shall be of "ultra low flow" design, where applicable. Water using appliances (e.g., dishwashers, clothes washers, etc.) shall be of high water efficiency design. These shall be shown on all applicable plans **prior to permit issuance**.

***Quit Claim Deed***

13. Prior to issuance of a grading permit, the applicant shall provide evidence acceptable to the Executive Director of the California Coastal Commission that it is the record title owner of the project site, such as a Quit Claim Deed and updated preliminary title report.

***Fees***

14. Prior to issuance of construction permits, the applicant shall pay all applicable school and public facilities fees.

***Grading, Drainage, Sedimentation and Erosion Control***

15. Prior to issuance of construction and/or grading permits, the applicant shall submit a complete drainage, erosion, and sedimentation control plan for review and approval, by the Public Works Department, in accordance with Section 23.05.040 through 23.05.050 of the Coastal Zone Land Use Ordinance. The plan shall use sediment control measures to protect Little Cayucos Creek. Installation of erosion and sedimentation control devices shall be installed around the perimeter of the construction zone. No flows shall be directed to Cayucos Creek without NPDES permit. The plan shall include the following:

- a. **Implementation of Best Management Practices during Construction.** The Plan shall identify the types and location of the measures that will be implemented during construction to prevent erosion, sedimentation, and the discharge of pollutants in the Little Cayucos Creek during construction. These measures shall be designed in accordance to the California Storm Water Best Management Practices Handbook and the San Luis Obispo County Resources Conservation District, as such:
- i. Limit the extent of land disturbance to the minimum amount necessary to construct the project;
  - ii. Designate areas for the staging of construction equipment and materials, including receptacles and temporary stockpiles of graded materials, which must be covered on a daily basis;
  - iii. Provide installation of silt fences, temporary detention basins, and/or other controls to intercept, filter, and remove sediments contained in the runoff from construction, staging, and storage/stockpiled areas;
  - iv. Provide hydro seeding (with native plants) of disturbed areas immediately upon conclusion of construction activities;
  - v. Good construction measures such as the use of dry cleanup measures whenever possible, collecting and filtering cleanup water when dry cleanup methods are not feasible, cleaning and refueling construction

equipment at designated off site maintenance areas, and immediate cleanup of any leaks or spills.

- b. **Permanent Drainage and Erosion Control Plan.** The Plan shall include and clearly identify all permanent measures to control and direct all site runoff and a drainage system designed to collect all on-site drainage (in gutters, pipes, drainage ditches, swales, etc.) for use in on-site irrigation, infiltrations, and/or habitat enhancement, and/or directed to off-site storm drain systems. The Plan shall be prepared by a licensed engineer and incorporate structure and non-structural Best Management Practices (BMPs) designed to control the volume, velocity, and pollutant load of stormwater and other run-off associated with the development. The Plan shall include required calculations and documentations for all BMPs proposed and shall, at the minimum provide for:
- i. Drainage system designed to filter and treat the volume of runoff produced from irrigation and storm event up to and including the as" percentile 24-hour runoff event for volume-based BMPs and/or the 85th percentile, 1 hour runoff event (with an appropriate safety factor) for flow-based BMPs , prior to its use for on-site infiltration, landscape irrigation, habitat enhancement, and/or discharge offsite. All filtering and treating mechanism shall be clearly identified, and supporting technical information shall be provided.
  - ii. Runoff from the roofs, driveways, parking lots, and other impervious surfaces shall be collected and directed into pervious areas on the site for infiltration to the maximum extent practicable in a non-erosive manner, prior to being conveyed off-site;
  - iii. Post-development peak runoff rates and volumes shall be maintained at levels similar to, or less than, pre-development conditions;
  - iv. All runoff shall be directed away from the creek/riparian habitat area unless proven appropriate for habitat enhancement process;
  - v. All drainage system elements shall be permanently operated and maintained.

16. All disturbed areas shall be restored as soon as possible. If the area is within close proximity of a sensitive habitat, a compatible native seed mix shall be used to revegetate the restored area (see following list). The same revegetation treatment shall apply for any areas to be left undisturbed for more than 30 days.

17. At the time of application for grading and/or construction permit(s), the applicant shall show the limits of the 100 year floodway on the site plan and all development located outside of the floodway and submit to Public Works for approval.

***Stormwater Pollution Prevention***

18. At the time of application for construction permits, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

19. Prior to initiation of tract improvements, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP). As applicable, all construction-related protection measures specified in the SWPPP shall be installed prior to beginning of work.
20. At the time of application for construction permits, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
21. Prior to issuance of construction permits, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

***Biological Resources***

22. Prior to issuance of grading and/or construction permits, the applicant shall retain a biological consultant approved by the County Planning and Building Department to monitor the implementation of the biological mitigation measures and erosion and sedimentation control measures during grading and construction activities. The biologist shall monitor the installation of fencing as per the approved construction plans and, at a minimum, monitor the construction activities once per week and provide a summary report to the County Planning Department at the close of construction activities. Construction activities shall be limited to the dry season (April 15 through October 15).
23. Prior to issuance of a grading permit, the applicant shall execute and record an open space easement for creek habitat protection, in a form approved by County Counsel and the Executive Director of California Coastal Commission in conformance with applicable Coastal Act regulations, for Lot 8 and the portions of Lots 6 and 7 outside the development envelope. The open space easement shall include a formal legal description and graphic depiction of subject properties including the Little Cayucos Creek Riparian Habitat Area. Development shall be prohibited in the open space area except for:
  - a. Restoration, protection, and enhancement of native riparian habitat and Monarch butterfly habitat consistent with the terms of the Final Landscape Restoration and Enhancement Plan;
  - b. Public interpretive access improvements approved by a coastal development permit.
24. **As a part of a second sheet of the tract map and included as a part of any individual construction permit application**, and included in any CC&Rs developed for the project, the following shall apply to the areas within the open space area: no oak trees, or other visually significant vegetation, shall be impacted or removed (removing and impacting trees for leach lines shall be to the least extent feasible); no activities shall be allowed that could adversely impact the sensitive vegetation, as defined in the Botanical Assessment (Althouse and Meade, 2015). Any removal of non-sensitive vegetation shall be done by hand, and by a qualified individual that can identify and avoid those sensitive species identified in the Botanical Assessment.
25. Prior to issuance of grading and/or construction permit(s), the applicant shall submit a landscaping plan including native, drought and fire resistant species that are compatible with the habitat values of the surrounding habitat and compliant with the Landscape Restoration and Enhancement Plan (LREP). Landscaped areas within the Approved Development Envelope shall consist only of native plants of local origin that are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society, the

California Invasive Plant Council, or as may be so identified from time to time by the State of California, and no plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be planted or allowed to naturalize or persist on the property except for existing eucalyptus trees associated with the Monarch butterfly habitat.

26. Prior to issuance of grading and/or construction permit(s), the applicant shall submit the Landscape Restoration and Enhancement Plan (LREP) to the Department of Planning and Building for review and approval. The LREP shall provide for riparian corridor landscape restoration and enhancement in the Little Cayucos Creek Riparian Habitat Area, with the goal of enhancing and restoring this area to self-sustaining and high resource value natural habitat state. The LREP shall be prepared by a qualified restoration ecologist, and shall incorporate specific conditions of the site (including soil, exposure, temperature, moisture, wind, etc), as well as restoration and enhancement goals. At a minimum, the plan shall provide for the following:
  - a. A baseline assessment, including photographs, of the current physical and ecological condition of the restoration and enhancement area;
  - b. A description of the goals and measurable success criteria of the plan, including, at a minimum, the requirement that success be determined after a period of at least three years wherein the site has been subject to no remediation or maintenance activities other than weeding, and this condition be maintained in perpetuity.
  - c. Removal of invasive and non-native plant species;
  - d. Planting of native species of local stock appropriate to the Little Cayucos Creek riparian corridor, including provision of fall and winter-flowering nectar sources for Monarch butterflies at appropriate locations. Non-native and/or invasive plant species shall be prohibited;
  - e. Monitoring and maintenance provisions including a schedule of the proposed monitoring and maintenance activities to ensure that success criteria are achieved;
  - f. Provision of submission of annual reports of monitoring results to the Department of Planning and Building, beginning the first year after completion of the restoration effort and concluding once success criteria have been achieved. Each report shall document the condition of the site area with photographs taken from the same fixed points in the same directions, shall describe the progress towards reaching the success criteria of the plan, and shall make recommendations (if any) on changes necessary to achieve success.
27. At the time of application for subdivision improvement plans, grading permits, and construction permits, the applicant shall clearly show on the project plans the type, size, and location of all trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone protected with orange construction fencing prior to any grading. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
28. Upon submittal of tract improvement plans, all measures provided in the Mitigation Monitoring and Reporting Plan shall be shown on applicable plans relating to restoration of

sensitive plants impacted. Should any measures conflict with conditions of approval, conditions of approval shall be considered superior. These measures shall be completed prior to recordation of final map.

**Conditions to be completed prior to ground disturbance or construction activities**

***Air Quality***

29. "Naturally-occurring asbestos" has been identified by the State Air Resources Board as a toxic air contaminant. Serpentine and ultramafic rocks are very common in the state and may contain naturally occurring asbestos. Under the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, prior to construction permit issuance, a geologic investigation will be prepared and then submitted to the county to determine the presence of naturally-occurring asbestos. If naturally occurring asbestos is found at the site, the applicant must comply with all requirements outlined in the Asbestos ATCM before grading begins. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; 2) an "Asbestos Health and Safety Program", as determined necessary by APCD. If NOA is not present, an exemption request shall be filed with the APCD. (For any questions regarding these requirements, contact the APCD at (805) 781-5912 or go to <http://www.slocieanair.org/business/asbestos.php>). Prior to final inspection or occupancy, whichever occurs first, when naturally-occurring asbestos is encountered, the applicant shall provide verification from APCD that the above measures have been incorporated into the project.

***Biological Resources***

30. **(BR-1) Within one week of ground disturbance or tree removal/trimming activities**, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. To avoid impacts to nesting birds, grading and construction activities that affect trees and grasslands shall not be conducted during the breeding season from March 1 to August 31. If construction activities must be conducted during this period, nesting bird surveys shall take place within one week of habitat disturbance. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. Construction activities shall observe a 300-foot buffer for active raptor nests. Buffers may be reduced if a qualified ornithologist determines that project activities will not affect the nesting birds. A preconstruction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the Project site and nest locations shall be included with the report. The Project biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

31. **(BR-2) Prior to ground disturbance**, a focused preconstruction survey for legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of the survey shall be determined by a qualified biologist and shall be sufficient to determine presence or absence in the project areas. If the focused survey results are negative, a letter report shall be



submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- a. Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project areas.
  - b. Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
32. **(BR-3) Prior to construction**, occupied nests of special status bird species shall be mapped using GPS or survey equipment. Work shall not be allowed within a 100 foot buffer for songbirds and 300 for nesting raptors while the nest is in use. The buffer zone shall be delineated on the ground with orange construction fencing where it overlaps work areas.
33. **(BR-4) Prior to construction**, occupied nests of special status bird species that are within 100 feet of project work areas shall be monitored at least every two weeks through the nesting season to document nest success and check for project compliance with buffer zones. Once burrows or nests are deemed inactive and/or chicks have fledged and are no longer dependent on the nest, work may commence in these areas.
34. **(BR-5) Prior to removal of any trees over 20 inches DBH**, a survey shall be conducted by a qualified biologist to determine if any of the trees proposed for removal or trimming, or if any structures proposed for removal harbor sensitive bat species or maternal bat colonies. If a non-maternal roost is found, the qualified biologist, with prior approval from California Department of Fish and Game, will install one-way valves or other appropriate passive relocation method. For each occupied roost removed, one bat box shall be installed in similar habitat and should have similar cavity or crevices properties to those which are removed, including access, ventilation, dimensions, height above ground, and thermal conditions. Maternal bat colonies may not be disturbed.

#### ***Site Development***

35. Prior to any grading work / ground disturbing work, a qualified surveyor shall delineate the 20 foot setback areas from the upland edge of the riparian habitat. Temporary fencing shall be erected one foot outside of the setback area (and in the development envelope) to delineate it clearly for the construction phase. No disturbance, vehicular traffic, or equipment material staging shall occur within the setback area during construction or following completion of the project, except work authorized for the Landscape Restoration and Enhancement Plan (LREP).

#### **Conditions To Be Completed During Project Construction**

##### ***Air Quality***

36. During construction/ground disturbing activities, the applicant shall implement the following particulate (dust) control measures. These measures shall be shown on the grading and building plans. In addition, the contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible,
  - b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Reclaimed (nonpotable) water should be used whenever possible.
  - c. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
  - d. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top load and top of trailer) in accordance with CVC Section 23114.
  - e. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
  - f. All dirt stock-pile areas should be sprayed daily as needed.
37. No developmental burning is allowed unless an application is filed and a burn permit is issued by the Air Pollution Control District (APCD). The application shall include the justification for burning greenwaste material on the project site as well as two written estimates for chipping, grinding, or hauling the greenwaste.

***Biological Resources***

38. To reduce the likelihood of sedimentation to Little Cayucos Creek, all private and construction vehicle traffic should be limited to those areas away from the northern and eastern edges of the property, outside of the fenced areas.
39. Construction activities shall be limited to the dry weather season (April 15 - October 15).
40. The applicant shall implement the erosion and sedimentation control plan.
41. The applicant shall implement the drainage plan.
42. The biological mitigation monitoring plan shall be implemented with on-site construction monitoring.

***Cultural Resources***

43. During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) and Native American to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as required by the Environmental Coordinator.

**Conditions to Be Completed Prior To Occupancy Or Final Inspection**

***Landscape Restoration and Enhancement Plan***

44. Prior to occupancy of any residence associated with this approval, the applicant shall implement the LREP during construction as directed by a qualified restoration ecologist. The initial planting and plant removal shall be completed prior to the occupancy of the first

approved residence. Submit field report prepared by qualified biologist verifying the completion of replanting to the Planning Department.

***Access Drive and Fire Lane Signage***

45. Prior to final inspection, the applicant shall provide to the Department of Planning and Building, evidence of a recorded maintenance agreement for the project access driveway and "no parking (fire lane) signage". In lieu of a recorded maintenance agreement, the applicant may elect to provide maintenance in accordance with the provisions of Civil Code Section 845. The applicant shall also demonstrate to the Department of Planning and Building that the portion of the access driveway is either included within the above maintenance agreement or adequately addressed by another maintenance arrangement (such as Civil Code Section 845).

***Cultural Resources***

46. Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities. and confirming that all recommended mitigation measures have been met. [If the analysis included in the Phase III program is not complete by the time final inspection or occupancy will occur, the applicant shall provide to the Environmental Coordinator, proof of Obligation to complete the required analysis].

***Biological Resources***

47. Prior to final inspection of any permits associated with this approval, the applicant shall submit a biology monitoring report to the Environmental Coordinator for approval verifying completion of all necessary field work and monitoring.
48. Prior to final inspection of any permits associated with this approval, the drainage plan shall be implemented and verified by the Department of Planning and Building.
49. Prior to final inspection of any residence associated with this approval, the Department of Planning and Building shall verify no fireplaces are allowed because smoke from fireplaces interferes with Monarch Butterfly habitat.

***Landscape***

50. Prior to final inspection or occupancy (whichever occurs first), the following measures shall be applied to the proposed turf areas:
- a. To maximize drought tolerance and minimize water usage, warm season grasses, such as bermuda or buffalograss, shall be used;
  - b. To minimize establishment of shallow roots, the following shall be avoided on turf areas, and provided in all applicable documents (e.g., educational brochure, CC&Rs, landscape plans): close mowing, overwatering, excessive fertilization, soil compaction and accumulation of thatch;
  - c. Watering times shall be programmed for longer and less frequently rather than for short periods and more frequently.
  - d. Slopes for turf areas shall be no more than 4%.
  - e. All landscape material shall be compatible with the riparian restoration plan.
  - f. Landscaping on lots 6 and 7 shall be compatible with the Riparian Restoration Plan. All proposed landscaping shall be approved by the Department prior to installation.

51. Prior to final inspection or occupancy, the landscape shall be installed in accordance with the approved landscaping plan shall be installed. All landscaping shall be maintained in a viable condition in perpetuity.

***Fire Safety***

52. Prior to final inspection or occupancy, the applicant shall obtain final inspection and approval from Cayucos Department of Fire of all required fire/life safety measures.

***Development Review Inspection***

53. Prior to final inspection the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

54. Prior to occupancy of any residence associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Grading, Drainage, Sedimentation and Erosion Control***

55. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices. Devices must be installed in conjunction with any grading and must effectively control siltation.

56. Prior to final inspection of construction permits, for structures where the pipe from the hot water heater to any faucet is greater than 20 feet in length, apply one or more of the following: 1) install a hot water pipe circulating system for entire structure; 2) install "point-of-use" water heater "boosters" near all hot water faucets (that are greater than 20 linear pipe feet from water heater), or 3) use the narrowest pipe possible (e.g., from 1" to 2" diameter). Prior to permit issuance, the measure(s) to be used shall be shown on all applicable plumbing plans.

**On-Going Conditions of Approval (Valid For the Life of the Project)**

***Landscape Restoration and Enhancement Plan***

57. Annual reports of monitoring results, beginning the first year after completion of the restoration efforts and concluding once success criteria have been achieved (criteria: 3 years of non-remediation! maintenance activities except for weeding) must be submitted to the Department of Planning and Building. Upon success criteria achievement, the self-sustaining riparian habitat must be maintained in perpetuity.

***Landscaping***

58. All landscape (including all trees and riparian vegetation) shall be maintained in viable condition in perpetuity.

***General***

59. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.

60. **Prior to approval of tract improvement plans**, the applicant shall provide funding for an environmental monitor for all measures requiring environmental mitigation to ensure

compliance with County Conditions of Approval and Mitigated Negative Declaration measures relating to tract improvements. The applicant shall obtain from a county-approved monitor a cost estimate, based on a county-approved work scope. The environmental monitor shall be under contract to the County of San Luis Obispo. Costs of the monitor and any county administrative fees, shall be paid for by the applicant.

61. The monitor will prepare a working monitoring plan that reflects the County-approved environmental mitigation measures/ conditions of approval. This plan will include (1) goals, responsibilities, authorities, and procedures for verifying compliance with environmental mitigations; (2) lines of communication and reporting methods; (3) daily and weekly reporting of compliance; (4) construction crew training regarding environmental sensitivities; (5) authority to stop work; and (6) action to be taken in the event of non-compliance.

### **Public Works Conditions**

#### ***Road Improvements***

62. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
- a. E Street shall be widened to complete the project frontage of an County A-2 urban street section fronting the property with a minimum of (2)-10 foot travel lanes and (1)-8 foot parking lane, within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
  - b. Cypress Glen Court shall be realigned and improved as shown on the tentative map. Improvement must be designed and constructed to the satisfaction of Cayucos Fire Department standards.
  - c. The intersection of E street and Cypress Glen Court shall be constructed to a modified B-1 urban driveway standard as shown on the tentative map.
  - d. The onsite access road shall be constructed to Cayucos Fire Department road and turnaround standards and shall include “no parking” fire lane signage.
63. The applicant shall reserve the following private easements by certificate on the map or by separate document:
- a. A private access, drainage, and utility easement of sufficient width along the realigned Cypress Glen Court in favor of all new and neighboring parcels that require Cypress Glen Court for access to their property.
  - b. An onsite minimum 20-foot private access and utility easement in favor of Parcels 1 through 8, with additional width as necessary to include all elements of the driveway prism and Fire Agency approved road terminus.
  - c. An onsite reciprocal private drainage easement in favor of Parcels 1 through 8. Easement shall include all drainage appurtenances (basins, inlets, pipes, swales, etc).

#### ***Drainage***

64. Submit complete drainage calculations to the Department of Public Works for review and approval. If calculations so indicate, drainage must be detained in a shallow drainage basin on the property [21.03.010(e)(2)]. The design of the basin is to be approved by the Department of Public Works, in accordance with county standards. The basins is/are to be maintained in perpetuity.

65. All project related drainage improvements shall be designed and constructed in accordance with the recommendations of the Cayucos Drainage and Flood Control Study.
66. On-going condition of approval (valid for the life of the project), the project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.
67. Prior to issuance of construction permits, the applicant shall provide evidence satisfactory to the Department of Planning and Building that the Army Corps of Engineers and the California Department of Fish and Wildlife environmental permits have either been secured or that the regulatory agency has determined that their permit is not required.

***Stormwater Control Plan***

68. At the time of application for construction permits, the applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Storm Water Management by submitting a Storm Water Control Plan (SWCP) to show what is required to satisfy post construction requirements for stormwater treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Control Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.
  - a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.
  - b. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own stormwater treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total assumed impervious square footage of the tract.
  - c. Storm water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
  - d. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
69. At the time of submittal of the improvement plans or construction permits, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
70. Prior to approval of the improvement plans or construction permits, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

**Effective Time Limits**

71. The approval period for this Development Plan will run with the approval period for tentative tract map 3075. Map time extension approvals granted with the map shall similarly extend the Development Plan approval period. Time extensions must be submitted in writing by the applicant and are subject to evaluation and action based on the circumstances prevailing at the time of the request.